

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOEL BAEZ,

Plaintiff,

- against -

THE CITY OF NEW YORK, et al.,

Defendants.

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MAUSKOPF, United States District Judge.

ORDER
09-CV-2635 (RRM)(JO)

Plaintiff Joel Baez, a minor, with his mother and natural guardian, Sonia Baez, filed the instant 42 U.S.C. § 1983 civil rights action against the City of New York and several of its individual employees. The parties, seeking to resolve the matter, reached an amicable settlement agreement. On February 16, 2010, the parties submitted the settlement agreement, together with a proposed infant compromise order, for Court review and approval [docket nos. 24 and 22, respectively]. Dismissal of the case was conditionally approved by this Court [docket no. 25], but was made expressly contingent upon final review and approval of the parties' proposed "infant compromise" order. On March 4, 2010, review of the proposed compromise order was respectfully referred to the assigned Magistrate Judge, James Orenstein, for further proceedings and for a final report and recommendation.

Pursuant to this Court's referral, further compromise proceedings were conducted by Magistrate Judge Orenstein on April 21, 2010. Those proceedings were followed immediately by Magistrate Judge Orenstein's April 21, 2010 report and recommendation [docket no. 29] (the "R&R"), which, pursuant to Loc. Civ. R. 83.2(a), N.Y. C.P.L.R. 1205-08, and N.Y. Jud. Law § 474, recommends Court approval of the proposed infant compromise as fair, reasonable, and in the minor Plaintiff's best interests. As no objections to the R&R were filed by any party, this

Court, pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Thus, the legal conclusions and factual findings set forth therein are hereby ADOPTED.

CONCLUSION

In accordance with the above, Magistrate Judge Orenstein's R&R [docket no. 29], recommending approval of the proposed infant compromise [docket no. 22] is hereby ADOPTED, and settlement is approved in accordance with the express terms and in the manner prescribed therein. This action is therefore dismissed with prejudice as to all Defendants, and the Court's conditional dismissal Order [docket no. 25] is hereby effective. The Court shall retain jurisdiction solely for purposes of enforcing the infant compromise and the terms underlying settlement. The Clerk of Court is respectfully directed to maintain the case as closed.

SO ORDERED.

Dated: Brooklyn, New York
May 12, 2010

s/Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge